

HOUSE No. 1388

By Mr. Petersen of Marblehead, petition of Douglas W. Petersen and others for legislation to promote the use of integrated pest management techniques in the Commonwealth. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Douglas W. Petersen
Anthony J. Verga

Michael E. Festa
Patricia D. Jehlen

In the Year Two Thousand and Five.

AN ACT TO PROMOTE THE USE OF INTEGRATED PEST MANAGEMENT TECHNIQUES IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. *Whereas*, Pesticides contain toxic substances
2 which may have a detrimental effect on human health and the
3 environment; and

4 *Whereas*, It is recognized that pests can best be controlled
5 through an integrated pest management program that combines
6 preventive techniques, nonchemical pest control methods, and,
7 only when absolutely necessary, the use of pesticides with a pref-
8 erence for products that are the least harmful to human health and
9 the environment.

10 It is hereby resolved that it shall be the policy of the Common-
11 wealth of Massachusetts to minimize the use of pesticides needed
12 to effectively control targeted pests in all areas of application. The
13 state agencies involved in the regulation of the use of pesticides
14 shall promote the principles and the implementation of integrated
15 pest management and other science-based technology to minimize
16 reliance on pesticides while recognizing that outbreaks of disease,
17 insects and other pests will necessitate fluctuations in pesticide

18 use. These agencies, in cooperation with the University of Massa-
19 chusetts Extension Integrated Pest Management Program and the
20 Massachusetts Integrated Pest Management Council and private
21 interest groups, shall work to educate pesticide users and the
22 general public in the proper use of pesticides and to establish
23 guidelines, certification procedures, and take other actions neces-
24 sary to accomplish this state policy.

1 SECTION 2. Section 2 of chapter 132B of the General Laws, as
2 amended by chapter 85 of the Acts of 2002, is hereby amended by
3 inserting after the definition of “Integrated Pest Management” the
4 following definition:—

5 “IPM Council”, the Massachusetts Integrated Pest Management
6 Council. Section 3.

1 SECTION 3. of chapter 132B of the General Laws, as so
2 appearing, is hereby amended by inserting after the definition of
3 “Under the direct supervision of a certified applicator” the
4 following definition:—

5 “University of Massachusetts IPM Program”, the University of
6 Massachusetts Extension Integrated Pest Management Program.

1 SECTION 4. Chapter 132B of the General Laws, as appearing
2 in the 2002 Official Edition, is hereby amended by inserting after
3 section ten the following new section:—

4 Section 10A. The University of Massachusetts IPM Program,
5 with the assistance of the IPM Council, shall develop integrated
6 pest management guidelines for various sectors, including, but not
7 limited to, structural pest control; agriculture; lawns, turf, trees
8 and shrubs; golf courses; forestry; and. mosquito control. Such
9 guidelines shall be made available to all certified commercial
10 applicators, all certified private applicators, all licensed applica-
11 tors, their employers and employees and the general public.

12 The department, in conjunction with the University of Massa-
13 chusetts IPM Program, and with the assistance of the IPM
14 Council, shall develop an integrated pest management certifica-
15 tion process using the guidelines developed pursuant to this
16 section. All certified commercial applicators, all certified private
17 applicators, and all licensed applicators shall be certified in the

18 use of integrated pest management techniques no later than
19 December 1, 2006. The department, in conjunction with the Uni-
20 versity of Massachusetts IPM Program, and with the assistance of
21 the IPM Council, shall also establish continuing education
22 requirements for all certified and licensed applicators, and estab-
23 lish procedures for obtaining continuing education credits. All
24 certified commercial applicators, all certified private applicators,
25 and all licensed applicators shall use integrated pest management
26 techniques commencing no later than December 1, 2006. The
27 department, in conjunction with the University of Massachusetts
28 IPM Program, and with the assistance of the IPM Council, shall
29 develop protocols for measuring compliance with the require-
30 ments of this paragraph. Such protocols shall require sufficient
31 documentation to allow the department to reliably determine that
32 the applicator is using integrated pest management techniques.
33 The department is responsible for enforcing all of the require-
34 ments of this section.

35 The department shall submit an annual report to the clerks of
36 the senate and the house and the joint committee on natural
37 resources and agriculture describing the efforts made and the
38 progress made toward further use of integrated pest management
39 and other alternate pest control methods in the commonwealth.
40 Such report shall be filed on January first of each year.

1 SECTION 5. Section 14 of chapter 132B of the General Laws,
2 as amended by chapter 85 of the Acts of 2002, is hereby amended
3 by adding after the words "Section 7A", the following words: "or
4 Section 10A".

1 SECTION 6. Chapter 132B of the General Laws, as amended
2 by chapter 85 of the Acts of 2002, is hereby amended by adding
3 after the words "Section 10" in Section 14A(a), the following
4 words: "or Section 10A".

1 SECTION 7. Chapter 132B of the General Laws, as amended
2 by chapter 85 of the Acts of 2002 is hereby amended by adding
3 after the words "Section 10" in Section 14A(b), the following
4 words: "or Section 10A".